

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NATIONAL PRESS PHOTOGRAPHERS
ASSOCIATION, *et al.*,

Plaintiffs,

v.

STEVEN MCCRAW, *et al.*,

Defendants.

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CIVIL ACTION NO.
1:19-cv-00946-RP

PLAINTIFFS' CORRECTION OF CITATION

TO THE HON. ROBERT PITMAN, JUDGE OF SAID COURT:

Plaintiffs wish to correct an erroneous citation in their Reply in Further Support of Plaintiffs' Motion for Summary Judgment that we filed Aug. 23, 2021 (Dkt. 69). Plaintiffs stated on page 19 that "an immigration reform group that diverted resources to oppose President Trump's border wall had standing," citing *El Paso Cty. v. Trump*, 408 F. Supp. 3d 840, 854-55 (W.D. Tex. 2019). However, it has come to Plaintiffs' attention that the Fifth Circuit subsequently reversed the district court's finding of standing. 982 F.3d 332 (5th Cir. 2020), *cert. denied sub nom. El Paso Cty. v. Biden*, 141 S. Ct. 2885 (2021), *reh'g denied*, 142 S. Ct. 51 (2021).

The Fifth Circuit's decision relied on the unique facts in *El Paso County* and did not change this circuit's requirements for organizational standing. Still, Plaintiffs regret the mis-citation.

Dated: March 11, 2022

Respectfully submitted,

By: /s/ James A. Hemphill

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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of March, 2022, the foregoing was electronically filed with the Clerk of Court using the CM/ECT system, which will send notification of such filing to counsel of record,

/s/ James A. Hemphill
James A. Hemphill